

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE MAY 3, 2006

SENATE BILL

No. 1293

Introduced by Senator Kuehl
(Coauthor: Assembly Member Pavley)

February 15, 2006

An act to add Article 5 (commencing with Section 19340) to Chapter 7 of Part 11 of the Education Code, relating to state library materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 1293, as amended, Kuehl. State library: access to electronic and online materials.

Existing law establishes the California State Library and sets forth the powers and duties of the State Librarian, including the purchasing of books and other materials and equipment necessary to carry out State Library programs and services. Existing law requires contracts for the purchases of goods and services by state agencies to be approved by the Department of General Services and requires purchases by state agencies be conducted through a competitive bidding process, as specified.

This bill would require the State Librarian to establish the Electronic Information Access Service to ~~collectively~~ purchase access to electronic journals and other online resources ~~on behalf of~~ *that will be available to* the Resources Agency, the California Environmental Protection Agency, and the California Health and Human Services Agency. The bill would require the service to provide access to

electronic journals and information resources for the specified state agencies that, at a minimum, is comparable to the electronic information access provided to researchers and students of the University of California.—~~This~~ *The* bill would require the State Librarian to purchase access to electronic journals and information for the service and permit him or her to do so without advertising for bids and without the approval of the Department of General Services. The bill would require the specified state agencies, to the extent practicable, to make their requests for purchases of access to electronic journals and information resources through the Electronic Information Access Service of the California State Library. The bill would require the State Librarian, for the purposes of ~~recovering costs for the services provided under these provisions, to impose charges against any available special fund moneys prior to imposing charges against General Fund moneys funding these services, to use any special fund moneys available to the State Librarian for these purposes prior to requesting General Fund moneys.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 19340) is
2 added to Chapter 7 of Part 11 of the Education Code, to read:

3
4 Article 5. Access to Science and Government Efficiency Act
5 of 2006
6

7 19340. This article shall be known, and may be cited as the
8 Access to Science and Government Efficiency Act of 2006.

9 19341. The Legislature finds and declares all of the
10 following:

11 (a) State agency staff involved in the preparation of regulatory,
12 planning, and management documents, or involved in regulatory
13 actions, planning, management of state programs, and
14 stewardship of public trust natural resources, should have access
15 to the best available science and information. It is the policy of
16 the state that scientists and other professional staff of state
17 agencies shall have desktop online access to electronic journals

1 and other electronic publications that are relevant to the work of
2 state agencies.

3 (b) State agencies should purchase access to electronic
4 journals and information resources through a collective state
5 effort to provide the electronic access to scholarly and current
6 information at the lowest cost. Collective purchasing efforts by
7 universities and other states have achieved significant savings.

8 (c) A centralized process is required to collect and consolidate
9 requests for electronic access to scholarly information and to
10 collectively negotiate and acquire licenses to access these needed
11 materials online.

12 19342. The State Librarian shall establish the Electronic
13 Information Access Service to ~~collectively~~ purchase access to
14 electronic journals and other online resources ~~on behalf of that~~
15 *will be available to* the Resources Agency, the California
16 Environmental Protection Agency, and the California Health and
17 Human Services Agency. The service shall be authorized to:

18 (a) Collect and consolidate requests for access to electronic
19 resources from these state agencies.

20 (b) ~~Negotiate and acquire~~ *Acquire* licenses to access electronic
21 information and resources on behalf of these state agencies.

22 19343. The Electronic Information Access Service shall
23 provide access to electronic journals and information resources
24 for the state agencies specified in Section 19342 that, at a
25 minimum, is comparable to the electronic information access
26 provided to researchers and students of the University of
27 California.

28 19344. The State Librarian shall purchase access to electronic
29 journals and information for the Electronic Information Access
30 Service. Contracts awarded pursuant to this section are exempt
31 from the advertisement and competitive bidding requirements of
32 the Public Contract Code and shall be exempt from the review or
33 approval of the Department of General Services.

34 19345. The Resources Agency, California Environmental
35 Protection Agency, and California Health and Human Services
36 Agency, to the extent practicable, shall make their requests for
37 purchases of access to electronic journals and information
38 resources through the Electronic Information Access Service of
39 the California State Library.

1 ~~19346. For the purposes of recovering costs for the services~~
2 ~~provided under this article, the State Librarian shall impose~~
3 ~~charges against any available special fund moneys prior to~~
4 ~~imposing charges against General Fund moneys.~~

5 *19346. For the purposes of funding the services provided*
6 ~~*under this article, the State Librarian shall use any special fund*~~
7 ~~*moneys available to the State Librarian for these purposes prior*~~
8 ~~*to requesting General Fund moneys.*~~